

REMARKS

As the Examiner will note, by the present Amendment claims 13, 19, and 20 have been amended. Accordingly, claims 13-20 are presently under consideration in the present application.

The Examiner, Mr. James Buckle, Jr., is thanked for the courteous interview extended to the Applicant's Attorney. During the interview, certain proposals were made as to how to amend the claims to distinguish the present invention over the prior art and to how to eliminate the Examiner's formal objections and rejections with respect to the claims. The present proposed Amendment reflects the results of the interview.

Formal Objections and Formal Rejections of the Claims

Claim 20 has been objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of the previous claim. This objection can be found in paragraph 4 of the Examiner's Office Action letter. In addition, claim 19 has been rejected by the Examiner under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. This rejection can be found in paragraphs 6 and 7 of the Examiner's Office Action letter. These objections and rejections are respectfully traversed. As the Examiner will note, both claims 13, 19, and 20 have been amended in an effort to eliminate the formal objections and rejections raised by the Examiner in his Office Action letter. Accordingly, it is believed that these objections and rejections have been eliminated.

Claim Rejection Under 35 USC 102(b)

Claims 13-20 have been rejected by the Examiner under 35 USC 102(b) as being anticipated by Herbst et al., US 7,562,504. This rejection is respectfully traversed.

Argument

The present invention is directed to a structural coupling for connecting together a variety of structures such as floor and wall panels for buildings, and the like. It is the Applicant's position that claim 13, as amended, defines a structural coupling device which contains a combination of coupling elements which cooperate to provide a structural relationship which is not even remotely contemplated by the Herbst patent. Thus, for example, the structural coupling device of the present invention defines coupling slots 19 which accommodate not only the channel section 8 but also the leg formations 15. This is to be distinguished from the architectural panel of the Herbst patent, particularly with reference to Figs. 2 and 5, which clearly show that coupling slots 38 only accommodate the leg portions 46 of the panel frame 28 and thus the coupling slots 38 do not provide for accommodating the leg formations 104 which can be seen by specifically referring to Fig. 5 of the Herbst patent. More specifically, according to the present invention, the snap fit component 12 engages and locks the projecting, locking formations 10 of the channel section 8 with the locking ribs R' of the leg formations L, thereby securing the legs of the channel section 8 and the leg formations 15 of the side panels 14 within the coupling slots 19 of the structural coupling device. On the other hand, the snap fitting element 30 of the Herbst patent never connects with the coupling slots 38 of the wall strut 26 but rather is adapted to cooperate with the channel section 28 as shown in Fig. 5 of the Herbst patent. Accordingly, the architectural panel fabrication system of the Herbst patent represents a completely different combination of elements when compared to the structural coupling device of the present invention as defined by claim 13 of the present application.

As recited in amended claim 13 of the present application, the structural coupling device for the present invention couples together structures containing opposing, coupling leg formations provided at their end portions and, in addition, a snap fitting element is provided which operatively and directly engages a wall strut and a channel section whereby the coupling leg formations are coupled together. This structural combination is not even remotely suggested by the teachings of the Herbst patent.

Application No. 10/570,820
Amendment dated October 8, 2010
After Final Office Action of June 9, 2010

Docket No.: 4140-0114PUS1

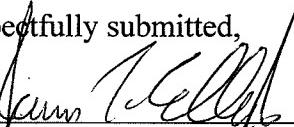
Accordingly, in view of the above amendments and remarks reconsideration of the objections and rejections and allowance of all of the claims of the present application are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Joseph A, Kolasch, Reg. No. 22,463, the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: October 8, 2010

Respectfully submitted,

By 
James T. Eller, Jr.

Registration No.: 39,538
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant